

REMARKS

The Official Action of 23 May 2007 has been carefully considered and reconsideration of the application as amended is respectfully requested.

The courtesy of Examiner Mi in discussing this application with the undersigned by telephone on 9 May and 25 June 2007 is gratefully acknowledged. In the discussions, the Examiner courteously acknowledged that the specification shows that compositions comprising a combination of garlic extract, oil of *M. spicata* and cinnamon oil show synergistic activity and indicated that the claims might be allowable if limited to such compositions.

Claim 1 has now been amended to require that the claimed formulation comprise the recited garlic extract, oil of *M. spicata* **and** cinnamon oil in respective amounts effective to provide the formulation with synergistic anti-dermatophytic activity. The synergistic activity of the claimed components is described in the specification as filed at, for example, page 1, first paragraph, and page 4, fifth paragraph, and is exemplified in the Examples beginning on page 7 of the specification. See, e.g., Table 4 on page 10-11.

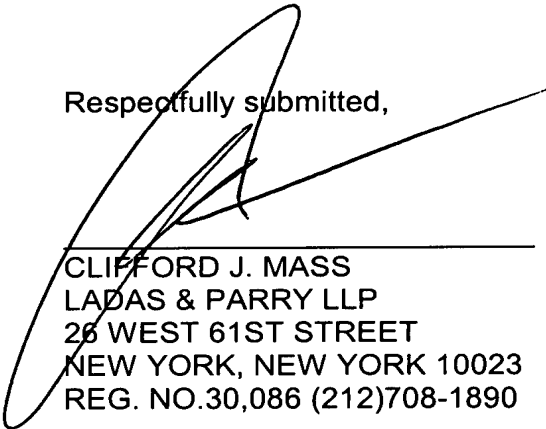
The claims stand rejected under 35 USC 103(a) as allegedly being unpatentable over Baroni et al, Bhagwat et al, Vandenberg et al and Friedman et al. Applicants respectfully traverse this rejection.

The Examples in the specification provide evidence of the synergistic effects of the claimed combination of components in the recited amounts that is sufficient to rebut any alleged case of *prima facie* obviousness set forth by the cited art. The cited art does not show or suggest the novel synergistic antifungal properties of the claimed formulation, as discussed in Applicants' Amendment filed 4 April 2007 at pages 9-10. Accordingly, even assuming for the sake of argument that the cited references were properly combinable to set forth a *prima facie* case of obviousness, the evidence of record, in view of the amendments to the claims, is sufficient to rebut such *prima facie* case. In this connection, Applicants respectfully note that the functional recitations in the claims, which limit the respective amounts of the components to those that achieve synergistic activity, render the claims commensurate in scope with the evidence in the specification.

Applicants respectfully note that the withdrawn method claims depend from, and contain all limitations of, the recited product claims. Accordingly, Applicants respectfully request rejoinder of the method claims in accordance with the provisions of MPEP 821.04.

In view of the above, Applicants respectfully submit that all rejections and objections of record have been overcome and that the application is now in allowable form. An early notice of allowance is earnestly solicited and is believed to be fully warranted.

Respectfully submitted,



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